



# The Future of Children's Television Programming

Future delivery of public service content for children

Annex 10 to Phase One of  
Ofcom's second review of public  
service broadcasting

Statement

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## Section 1

# Executive summary

- 1.1 In October 2007 Ofcom published *The Future of Children's Television Programming*, a discussion paper setting out our findings regarding the current state and future prospects for children's television programming.<sup>1</sup>
- 1.2 The aim of our research was to create a firm foundation for debate by establishing comprehensive body of evidence around current delivery and future prospects for public service broadcasting to children in the UK.
- 1.3 We asked stakeholders for their views on a range of questions in relation to children's television and to public service broadcasting in general. We also sought views on a number of possible policy approaches suggested by stakeholders. The purpose of this statement is to summarise responses the discussion paper and to set out Ofcom's approach to considering the issues raised by our research going forward.
- 1.4 Most of the responses believed that children's television programming faced significant pressures. There was also a broad consensus among these that the need for intervention was required in the short term.
  - There was general agreement on the importance of the continuing provision of high quality, UK-originated output for children of all ages, and almost without exception, respondents agreed that plurality in children's television programming was important.
  - Consistent with the findings of Ofcom's research, stakeholders highlighted programming for older children and UK-originated drama and factual programming as areas of particular concern.
  - Of the five policy approaches suggested by stakeholders, none was seen as an easy solution. All who responded on the policy approaches were agreed, however, that the status quo was not a viable option. Each of the remaining options received some degree of support, with many suggestions including a combination of approaches.
- 1.5 Since the start of our children's review in February 2007, Ofcom has begun work on its second Review of Public Service Broadcasting (PSB Review). Going forward, we propose to integrate our work on children's television with the wider and ongoing work of the PSB Review. Therefore this is the closing statement on *The Future of Children's Television Programming*.
- 1.6 This statement is published simultaneously with the results of Phase One of our second Review of Public Service Broadcasting (*PSB Review Phase 1: The Digital Opportunity*). That report presents further evidence that children's television programming is a critical part of public service broadcasting in the UK. While delivery of the PSB purposes and characteristics has been broadly met for public service broadcasting as a whole, the report shows that this is not currently the case for some areas including children's programming. Investment in first run original programmes by the commercial PSBs has fallen by over 80% the past ten years.

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<sup>1</sup> <http://www.ofcom.org.uk/consult/condocs/kidstv/kidstv.pdf>

- 1.7 There is no evidence that the market will fill the gaps in children's content provision left by falling investment by the commercial PSBs. No commercial digital channel has established a business case for investment in high quality UK programming for older children, and our modelling suggests that such a case is unlikely to emerge.
- 1.8 Reach and impact will be more important than ever in an environment where older children's consumption of media is rapidly fragmenting. Parents also believe it is important for plurality to continue to play a central role in delivering public service content for children.
- 1.9 We estimate that the cost of intervention in children's content to maintain levels of reach and impact and achieve plurality of provision would be around £30m per annum.
- 1.10 Section 7 of *PSB Review Phase 1: The Digital Opportunity* sets out four potential long term models for delivering public service content. These are:
- Model 1 - Evolution
  - Model 2 - BBC only
  - Model 3 – BBC/C4 plus limited competitive funding
  - Model 4 – Broad competitive funding
- 1.11 Each of these models presents an alternative framework for delivering public service content for children in the future.
- Model 1 could involve an increased role for Channel 4 in delivering content for older children and young teenagers, with Five or ITV1 maintaining provision across the rest of this audience.
  - Model 2 could see the BBC taking on an enhanced role to deliver children's programming needs currently met by other institutions that the market will not provide in the future. However there would be little competition to the BBC in UK originated children's programming, especially for older children in drama and factual and for young teenagers.
  - Model 3 could maintain the BBC's role; and increase that for Channel 4 as providers of PSB content for children, with additional long term contracts potentially tendered to third party providers for any areas underserved where further intervention was appropriate.
  - Model 4 could leave the BBC to provide its children's service with competitive contracts tendered to ensure it faced competition for children's public service broadcasting. This could be provided by a wide range of commercial and civic institutions.
- 1.12 There remain, however, a number of outstanding short-term issues for provision of public service content for children.
- 1.13 In our discussion paper, we identified several proposals made by stakeholders which could address the issues facing children's programming. Most of the five stakeholder approaches suggested are for government to consider. Tax incentives are an option

which could theoretically be introduced in the short-term, although evidence regarding their effectiveness is unclear.

- 1.14 ITV1 and Five continue to make a contribution to children's programming. But given that Ofcom's powers under the Communications Act are also limited with regard to guaranteeing specific levels of children's programming for broadcasters.
- 1.15 Given these constraints, we believe that there are three possible approaches to the issues facing children's programming in the short term. These are:
- Developing the BBC's role in delivering children's content: establishing greater certainty over future investment from the BBC, extending the availability of BBC output for older children beyond 7pm, and extending provision to teenagers. These are issues for the BBC Trust to consider, taking into account the range of competing demands for BBC resources.
  - Extending Channel 4's remit to include older children and teenagers. Channel 4 has already announced plans for a substantial short term investment in content for older children, which will make a significant if partial contribution to the likely deficit in this area. It has indicated a willingness to continue and extend this commitment in future but has said this would require additional ongoing funding support.
  - Exploring the role S4C could play in delivering content to all UK children, for example by strengthening incentives or independent producers to reversion content for a UK (and possibly international) audience.
- 1.16 We will continue to have a constructive dialogue with the BBC, Channel 4 and S4C over the next few months. In the meantime, Ofcom will continue to work within the limits of its powers, ensuring that broadcasters understand the importance of delivery of the public service broadcaster purposes and characteristics for this important audience.

## Section 2

# Summary of responses to discussion paper

## Background

- 2.1 In October 2007 Ofcom published *The Future of Children's Television Programming*, a discussion paper setting out our findings regarding the current state and future prospects for children's television programming.<sup>2</sup> The full findings were published alongside the discussion paper as a separate research report.<sup>3</sup> The aim of our research was to create a firm foundation for debate by establishing comprehensive body of evidence around current delivery and future prospects for public service broadcasting to children in the UK.
- 2.2 Since the publication of our report, Ofcom's second statutory review of public service broadcasting (PSB) has identified children's television as an important area with an uncertain future in some areas. The first phase of this review, published alongside this document, on 10 April 2008<sup>4</sup>, sets out further evidence to help explain the current issues faced by children's television within the context of public service broadcasting as a whole.
- 2.3 Our research findings were broadly as follows:
- There is a gap between parents' expectations of, and their actual satisfaction with the delivery of, children's television programming, particularly when it comes to drama and factual programming, reflecting a range of cultures and opinions from across the UK
  - Future provision of new UK-originated content for children looks uncertain other than from the BBC, yet despite increased spending on children's programming, the BBC's long term commitments to children's programming are not guaranteed
  - The BBC's programming is highly valued by parents, but they also appreciate programming from a range of different editorial voices
  - In the context of changing children's media consumption, older children and young teenagers are particularly dissatisfied with current delivery of public service programming, yet there is no evidence that providing this type of content is a viable commercial option.
- 2.4 In our report, we asked stakeholders for their views on our research findings, and posed a number of questions to inform our thinking more broadly around the second PSB Review. In particular:
- What is the role and importance of UK-originated programming for children?

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<sup>2</sup> <http://www.ofcom.org.uk/consult/condocs/kidstv/kidstv.pdf>

<sup>3</sup> <http://www.ofcom.org.uk/consult/condocs/kidstv/kidstvresearch.pdf>

<sup>4</sup> Ofcom's Second Public Service Broadcasting Review.

- What is the role and importance of plurality in the provision of children's programming?
- Should further consideration be given to provision of public service content for children over platforms other than linear television
- Does the policy approach for children's programming need to be different from the policy approaches taken to public service broadcasting overall?

2.5 We also asked stakeholders for their views on a range of possible approaches to children's television (submitted by interested parties during interviews undertaken for the report). These included:

- Maintaining the status quo, leaving provision to the BBC, the commercial public service broadcasters and the market
- Broadcaster-based interventions, including a dedicated fund or output quotas
- Production incentives, such as tax credits
- Extending the remit of existing public service institutions, including Channel 4 and
- Creating new public institutions, including a non-BBC public service children's channel.

2.6 In total we received 36 responses from broadcasters, production companies, campaign groups, trade unions, academics, MPs and individuals. This statement summarises the non-confidential responses received. Copies of full responses are available on our website.<sup>5</sup>

2.7 Following publication of our discussion paper, we held a stakeholder seminar to solicit views from a wide range of interested parties. The seminar took place on 6 December 2007 at Millbank Conference Centre. The important points made at this seminar are also included in this statement.

### **Overall response to the general analysis and conclusions of the report**

2.8 Stakeholders broadly welcomed Ofcom's research into the current delivery and future prospects for children's programming. Several commented on the comprehensive nature of Ofcom's research, and welcomed the attention paid to children's television.

2.9 A number of stakeholders highlighted their concerns that the issues facing children's television required immediate attention. In particular, some wanted immediate intervention in the children's television market from Ofcom or government.

2.10 There was also general agreement on the importance of the continuing provision of high quality, UK-originated output for children of all ages.

2.11 Some stakeholders highlighted what they saw as omissions from Ofcom's report. The UK Film Council noted that the report made no reference to children's films. Another respondent suggested that more should be done to encourage programmes with a live presenter and live music for pre-school children.

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<sup>5</sup> <http://www.ofcom.org.uk/consult/condocs/kidstv/responses/>



## Questions for the second public service television broadcasting review

### What is the role and importance of UK-originated programming for children?

- 2.12 The research set out in *The Future of Children's Television Programming* demonstrated that future commercial provision of UK-originated content for children was in question. We stressed that this was particularly the case for drama and factual programming that reflect UK societal and cultural values.
- 2.13 There was near unanimous agreement in the responses that high quality UK-originated programming was vital in the provision of children's television. Stakeholders mentioned three main benefits of distinctly British programming. They saw it as being educational, providing shared cultural reference points, and supporting a highly skilled UK industry.
- 2.14 However, most respondents also felt that UK-originated programming is only valuable if it is distinctly culturally British; producing programming in the UK on its own is not enough.
- 2.15 Save Kids' TV (SKTV) in particular raised the issue of UK co-productions made with one eye on the international market. Their concern was that these programmes were culturally neutral and only recognisably British by the accents of the characters.
- 2.16 Pact noted that UK-originated programming supports a highly-skilled niche British industry. They also noted that if this industry was to disappear along with its knowledge and skills base, then it could be very hard to revive British children's TV production at a later date.
- 2.17 Several stakeholders expressed the view that the pressure facing UK origination was greater in some genres – notably drama, factual and animation – than in others.
- 2.18 At our stakeholder seminar, the BBC noted that, in any event, there was little point in producing tokenistic, poor quality children's programming, as children would not be interested in watching it.

### What is the role and importance of plurality in the provision of children's programming?

- 2.19 *The Future of Children's Television Programming* outlined how the importance of the BBC in the provision of children's public service programming has grown as the role of the commercial public service broadcasting channels has declined. It presented evidence that while the BBC's programming is highly valued by parents, they also appreciate programming that has a range of different editorial voices.
- 2.20 Almost without exception, respondents agreed that plurality in children's television programming was important.
- 2.21 Three main reasons for the importance of plurality emerged:
- Plurality would ensure continued creativity and high standards because of competition between broadcasters. The Campaign for Press and Broadcasting Freedom (CPBF) emphasised this point, and Ragdoll explicitly referred to the benefits of 'creative competition'. This point was also made at Ofcom's stakeholder seminar by media consultancy Human Capital

- Plurality would ensure a diversity of editorial voices and make sure that there was an alternative viewpoint to that of the BBC. SKTV, among others, stressed this point.
  - Plurality would guard against the danger to producers of having the BBC as the only commissioning body. This point was made by Equity, among others.
- 2.22 Some respondents, notably the BBC and BBC Trust, noted that while plurality was important, concerns were not uniform across age groups and sub-genres, and that the market delivered on this principle in several areas. They highlighted pre-school programming and animation as areas where plurality concerns were less relevant. However, at our stakeholder seminar the BBC were clear that they would welcome more competition, particularly if it led to a diversity of multi-genre production.
- 2.23 Other respondents cautioned that while plurality was important, a smaller choice of high quality programmes were preferable to a wide choice of lower quality output.
- 2.24 The Voice of the Listener and Viewer (VLV) suggested using Channel 4 to ensure that there was an alternative to the BBC for public service programming for children. Channel 4 itself noted that its reputation and target audience would sit well with providing programming for older children<sup>6</sup>

### **Should further consideration be given to the provision of public service content for children over platforms other than linear television?**

- 2.25 We noted in *The Future of Children's Television Programming* that interactive platforms including websites, IPTV-streamed or VoD services, present alternative models for the distribution of TV-style content to children, and that these may become more widespread in the future. Our research also indicates that that viewing to linear TV platforms among children is likely to increasingly face competition from other media.
- 2.26 The prevailing view among stakeholder responses was that while alternative platforms were an interesting possibility with plenty of potential, they were at best a long term solution and should only be seen as an addition to the existing framework. Some responses made clear their concerns that discussions over alternative platforms should not distract from the problems facing linear TV.
- 2.27 Some responses highlighted the different viewing habits for TV and the web as evidence that public service content could not be directly migrated to new platforms. One participant at our stakeholder seminar made the point that, as things stand, there is little public service content online. However despite this, responses from S4C among others said that public service content should be provided wherever there is an audience.
- 2.28 The provision of children's public service content on a dedicated online destination formed the centrepiece of SKTV's proposals for children's' television (see below).
- 2.29 Ofcom has also considered the role of non-linear television platforms as part of its second Public Service Broadcasting Review.

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<sup>6</sup> See also Channel 4's vision for its role in the digital age published 13 March 2008.

## **Does the policy approach for children's programming need to be different to the policy approach taken to public service broadcasting overall?**

- 2.30 In our discussion paper, we noted that there are both arguments for approaching children's issues in a way that is consistent with an overall approach to PSB provision, and for accepting that children's programming may need a different policy approach to that taken to PSB overall.
- 2.31 Responses to this question were split. Those who thought that children's programming should be treated as distinct to the policy approach taken to public service broadcasting overall highlighted the urgency of the situation facing children's television and that children's television was a special case because of the importance of television to children's development.
- 2.32 Most of those who felt that children's television did fall within the public service broadcasting policy framework recognised that it nonetheless had unique issues that needed addressing.

### **Stakeholder policy approaches**

- 2.33 *The Future of Children's Television Programming* sets out five policy approaches to children's television. These were suggested to Ofcom by stakeholders during the course of our research. We asked stakeholders for their views on the appropriateness (or otherwise) of these approaches. A summary of their responses are set out below:

### **Maintaining the status quo**

- 2.34 This option would involve leaving provision to the BBC, the commercial PSBs and the market under the current terms of the Communications Act. In practice this would leave the BBC as the major provider of new public service programming for children in the UK.
- 2.35 The Future of Children's Programming suggested that one model for this scenario would be for the BBC Trust to tighten the BBC's remit for children's programming in order to hold it to at least its current levels of UK-originated children's output.
- 2.36 Overall responses were unanimous that the status quo was not a realistic option for children's television.
- 2.37 Several responses noted that the BBC's remit was already quite loose, and that its current levels of children's programming were not reflected in its service licenses. Among others, Pact was strongly in favour of tightening the BBC's remit.
- 2.38 However, many highlighted the BBC's excellent record with regard to children's programming and cautioned against rushing to limit or restrict the BBC. The BBC itself argued that there was no real benefit in tightening its remit given it already exceeds its Service Licence considerably and it would lose a significant degree of flexibility.

### **Broadcaster-based interventions**

- 2.39 This approach covers a number of possible models suggested by stakeholders during the course of our research including a contestable fund, a levy on commercial broadcasters and output quotas.

- 2.40 One core idea was a contestable fund for the commissioning of children's programming which would be available to broadcasters. In this model funding could be tied to a broadcast distribution outlet.
- 2.41 Many responses were positive about the idea of a contestable fund without being enthusiastic. S4C argued that any fund would have to be tightly regulated to prevent further fragmentation of the market, driving down costs, and the distortion of the market. SKTV and Pact felt that a contestable fund may not do anything to help production companies.
- 2.42 Several responses noted the difficulties in setting up any fund, and that it would at best be a long term solution. The biggest divisions in responses emerged over the source of such funding. A variety of options were suggested, including direct Government grants, the lottery, the licence fee or a levy on commercial broadcasters.
- 2.43 There was resistance to top-slicing the licence fee to pay for any fund: Magic Lantern Productions called it a lazy solution at our stakeholder seminar. However the VLV suggested that an additional increment on top of the existing licence fee could be worth exploring.
- 2.44 Another broadcaster-based intervention supported was a levy on the commercial broadcasters. Supporters of this approach included the CPBF, the VLV and Equity. In contrast to this, other responses argued strongly that this would be an unfair distortion of the market, especially since some non-PSB commercial broadcasters already carry some content which fits the purposes and characteristics of PSB content.
- 2.45 Another broadcaster-based intervention suggested by stakeholders was a fixed output quota for provision across all broadcasters with an interest in children's programming. Some responses felt that this idea had merit, although there was recognition that quotas on their own would not be an appropriate solution as they would not address the underlying structural issues facing children's programming. The International Broadcasting Trust (IBT) suggested that post digital switchover (DSO) broadcasters could accept further obligations in return for a prominent position on the Electronic Programme Guide (EPG).

## **Production incentives**

- 2.46 This set of potential options focused largely on tax incentives for the production sector, similar to those used in other markets internationally. A production-based fund for children's programming such as the models used in Canada and Australia was another suggestion.
- 2.47 Tax incentives for independent producers formed the basis of Pact's submission to the discussion paper. They argued for a short-term producer tax credit to make up a minimum of 30% of production costs for programmes targeted at 5-12s and factual programming meeting a public service requirement. They emphasised the short-term nature of this intervention by proposing that it would expire in 2012. This proposal was circulated widely prior to the publication of Ofcom's discussion paper.
- 2.48 In discussions at the stakeholder seminar, Pact emphasised that their tax credit should be available across a variety of platforms, and for interactive content as well.
- 2.49 In their response to the discussion paper Pact argued that a tax credit was the most practical and effective way to intervene and that it would stimulate increased

competition among children's broadcasters. They highlighted that a precedent existed for this type of intervention in the tax credit for the UK film industry. To ensure plurality, Pact suggested that any content initially commissioned by the BBC should be excluded from any incentive.

- 2.50 Responses to the discussion paper included many in favour of Pact's proposal. Several responses were positive in principle about this proposal and especially about the support it offered to independent producers. Ragdoll argued that tax incentives were 'fundamental' to any approach in the short-term. Screen Digest and Hit Entertainment noted that lack of direct financial support for children's programming in the UK was anomalous compared to the support on offer in Australia, Canada, and France.
- 2.51 There was also significant support at Ofcom's stakeholder seminar for a tax credit along the lines of Pact's proposal. Screen Digest noted that in countries with significant intervention in children's television such as France, Canada and Australia, independent producers were at the heart of the system. Nickelodeon and Five also expressed support for a tax credit and said that it might make a difference in the margins of less popular programming.
- 2.52 However some responses were sharply opposed to Pact's proposal. Several responses noted that a production tax credit would do nothing to address the need for a broadcast outlet for children's programmes once they had been made. This point was made by the UK Film Council and CPBF among others. To address this, Pact suggested tying the tax credit to a UK broadcast licence.
- 2.53 There was a difference of opinion about the impact of Pact's proposal on the BBC. Bectu and the BBC took the view that the tax credit as structured would discriminate against BBC in-house production. In response Pact issued a clarification that their proposal would exclude any programme commissioned by the BBC, not just those produced in-house.
- 2.54 A few responses also considered the idea of a production fund. However they observed that this raised similar funding issues to a broadcaster-based commissioning fund, with the added difficulty of developing a coherent basis for the awarding of funding.

### **Extending the remit of existing PSB institutions**

- 2.55 This option suggested by stakeholders, as set out in our discussion paper, could include extending the remit of any of the existing commercial PSB institutions – ITV1, Channel 4, S4C and Five. Channel 4's role was particularly mentioned in this context; its current remit under the Communications Act relates to the provision of schools programming. It has been suggested that this might be extended to include original children's programming.
- 2.56 The majority of responses were in favour of extending existing PSB remits in some way, although they felt that this was unlikely to be much of a solution on its own. Some wanted Ofcom to concentrate on enforcing existing obligations more vigorously before moving to tighten PSB remits – Equity and SKTV particularly mentioned this.
- 2.57 Several responses highlighted Channel 4's importance to any approach to children's television. Although not currently involved in commissioning children's programming, some responses noted the channel's past involvement. VLV noted *The Snowman* as

an example of high quality animation and *Wise Up* as an example of quality programming for older children. In a similar vein, SKTV argued that Channel 4 was a 'natural provider of challenging and innovative content for older children'. However, at the stakeholder seminar they also noted that while there was a place for Channel 4 in older children's programming, on its own it was only a short term solution, as it is facing problems of its own with regard to sustainable funding.

- 2.58 Channel 4 has indicated a willingness to be involved in discussions about the role it might play in children's programming in the future. In its response it related how it is currently undertaking a review to articulate its future vision (subsequently announced on 13 March).
- 2.59 S4C noted that they were the second largest investor in content commissioned from the independent sector. They highlighted their intention to extend provision of children's content and introduce dedicated S4C children's content so as to develop their current service, and offer enhanced services capturing new and emerging audiences or those viewers not currently engaging with our content. The VLV noted the disparity between S4C's investment in programming for Welsh-speaking children and PSB investment in children's programming for the English-speaking majority of the UK.
- 2.60 However despite considerable interest in this area, there was a general feeling that extending existing PSB remits was a medium to long term solution. The VLV also noted that, taken on its own, this set of policy approaches ignored the underlying pressures on the funding models of commercial PSBs. One respondent also pointed out that extending PSB remits in this way would require Ofcom to be highly prescriptive in its broadcasting policy and run counter to the spirit of the 2003 Communications Act.

## **New institutions**

- 2.61 The final set of policy approaches set out in our discussion paper involved developing some form of new institution for the provision of children's programming. This might take, for example, the form of a further dedicated PSB children's channel (funding options would be similar to those for a contestable fund).
- 2.62 The discussion paper noted Ofcom's proposal in its first PSB Review (2004-5) for a new PSB institution called the Public Service Publisher (PSP). Some respondents suggested that, if established, the PSP could be used to deliver children's content.
- 2.63 In their response to the discussion paper, and at our stakeholder seminar, SKTV proposed a new online public service destination for children aged 6-15. This would be distinct from Ofcom's proposals for the PSP as it would provide an outlet for PSB content rather than just funding or commissioning it. Like the Pact tax incentive, the SKTV proposal received extensive circulation prior to the publication of Ofcom's discussion paper.
- 2.64 The majority of responses to the discussion paper showed interest in the SKTV idea, and there was agreement that this (or any other new institution) would be a natural home for public service content. However many supportive responses also expressed a degree of caution. The CPBF highlighted concerns about funding for any new institution, while the response from academic expert, Máire Messenger Davies, noted that it is not easy for children to find quality content online.

- 2.65 Some responses noted that the SKTV proposal was a long term approach that would not address the immediate problems in children's television programming. The IBT argued that the potential of existing PSB channels should be maximised first and that a new institution such as the SKTV proposal should be supported only as an addition to existing provision.
- 2.66 A minority of responses worried that a new PSB institution might turn into a 'PSB ghetto', and that the commercial PSB channels might take the opportunity that it provided to reduce their remaining children's programming commitments. Among others, the BBC raised concerns that a new institution would merely fragment the children's market further without providing any compensating benefit. In this scenario it could have the effect of making children's programming even less viable for the commercial PSB channels. Other responses questioned whether there was clear enough evidence of market failure to warrant such an intervention.
- 2.67 A few responses mentioned new institutions distinct from SKTV's ideas. Pact suggested that a Channel 4 spin-off channel for children might be a possible second stage of any return to children's programming by Channel 4. However, in discussions at our stakeholder seminar, Five expressed their opposition to another PSB channel.

### **Tailoring policy approaches to different age groups and different sub-genres**

- 2.68 The research set out in the discussion paper demonstrated that the pressures facing children's programming were not uniform across the genre, and that dissatisfaction with current provision varied by age group. In particular we noted that concerns are most acute for UK originated drama and factual programming, and for programming for older children and young teenagers.

#### **Age groups**

- 2.69 The majority (but not all) of responses to the discussion paper favoured tailoring policy approaches to specific age groups. There was agreement with Ofcom's conclusion that pre-school children and younger children were currently broadly well served. Most also agreed that current programming for 12-15 year olds was a particular concern.
- 2.70 Several respondents emphasised that steps should be taken to address the specific problems facing programming for 12-15s. Since teenagers do not strictly fit within the child/adult distinction and watch plenty of adult programming, one respondent suggested ensuring quotas for dual purpose adult and teenage content appealing to both groups.
- 2.71 Other responses noted that while older children were the least well served, it was desirable that the needs of all groups were met. S4C did not believe that content should be focused on specific age groups. They argued that the focus should be on production that has low levels of activity in the UK, on content with high demand but low investment, and where the cost of production is high. Similarly, Ragdoll's response warned that the situation facing older children should not lead to complacency towards other groups.

#### **Sub-genres**

- 2.72 Responses to the discussion paper agreed with the analysis in the discussion paper which demonstrated that UK-originated drama and factual programming were areas

of significant concern. This was true across a range of respondents – including individuals, producers, trade bodies, pressure groups and academics.

- 2.73 Several other sub-genres were highlighted individually in the responses. These included UK-originated films aimed at children, live music and programmes with live presenters, UK animation and foreign language programming.

## Conclusions

- 2.74 It is clear from the responses to the discussion paper that UK-originated programming is valued by stakeholders, but primarily inasmuch that it is both high quality and it reflects and promotes a distinctly British culture.
- 2.75 Plurality in the provision of children's programming was valued by almost all who responded. In particular, while the BBC is widely valued for its contribution to children's programming, most respondents valued having competition to the BBC. This was down to the belief that competition would produce high standards, and that audiences valued different editorial voices.
- 2.76 Most of the responses believed that children's television programming faced significant pressures. There was also a broad consensus among these that the need for intervention was urgent.
- 2.77 Consistent with the findings of Ofcom's research, stakeholders highlighted programming for older children and UK-originated drama and factual programming as areas of particular concern.
- 2.78 Of the five policy approaches suggested by stakeholders, none were seen as a 'silver bullet'. All were agreed, however, that the status quo was not a viable option. Each of the remaining options received some degree of support, with many suggestions including a combination of approaches.
- 2.79 The two most prominent policy approaches proposed through responses were the Pact proposal for a producer tax credit, and the Save Kids' TV idea for a new children's public service online destination. Stakeholders highlighted significant benefits but also some disadvantages to both these proposals.



## Section 3

# Children's television and the wider context

## Introduction

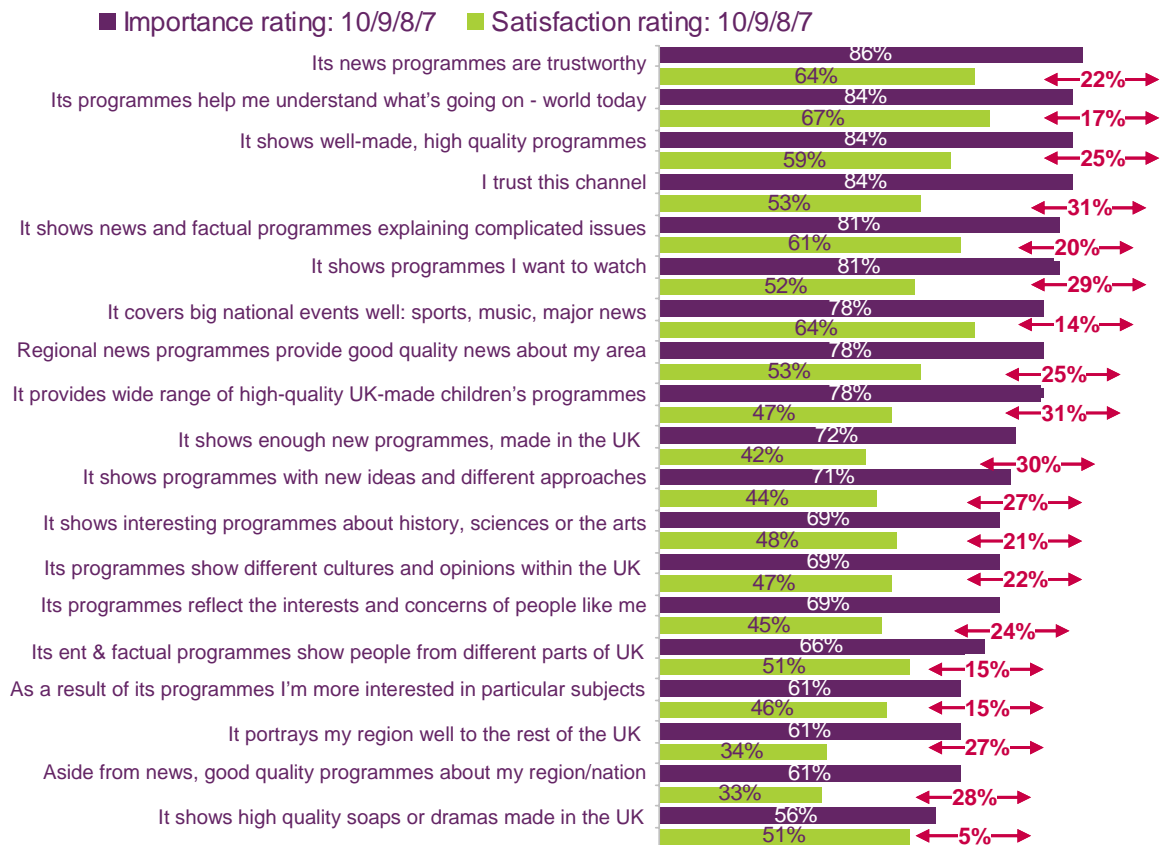
- 3.1 *The Future of Children's Television Programming* was initiated as a stand-alone investigation into children's public service broadcasting (PSB) provision in response to significant consumer and market changes.
- 3.2 Since the start of our investigations in February 2007, Ofcom has begun work on its second Public Service Broadcasting Review and publishes the first phase of this review: *The Digital Opportunity*, on 10 April.
- 3.3 We propose to integrate our work on children's television with the wider and ongoing work of the PSB Review. We believe this approach is appropriate for three reasons:
- Many of the issues faced by children's television programming are common to those facing other PSB genres.
  - Any institutional approach to children's television needs to be framed with reference to its impact on the ecology of public service broadcasting as a whole.
  - While many of the issues facing children's television have been identified as largely short-term in nature, we believe that a long term solution is needed to delivering reach, impact and plurality of PSB provision.
- 3.4 In *PSB Review Phase 1: The Digital Opportunity* we set out further evidence around the provision of children's television collected during our research programme. We then go on to discuss the prospects for the delivery of public service content in the future, setting out our long term vision for post-2012. We also explore four potential models for delivering this vision and the implications for the existing PSB institutions as well as the impact on children's television as a whole. Finally we explore the remaining options for children's PSB in the short to medium term.

## Findings from the Second PSB Review

- 3.5 *PSB Review Phase 1: The Digital Opportunity* presents further evidence that children's television programming is a critical part of public service broadcasting in the UK. While delivery of the PSB purposes and characteristics has been broadly met for PSB as a whole, the report shows that provision of children's programming is one of several areas where we have identified issues in terms of audience impact, viewing and output.
- 3.6 The research commissioned to inform the second PSB Review shows that:
- 78% of consumers believe that it is important to have a wide range of high quality, UK-made programmes for children
  - 70% believe that it is important for children's programmes which reflect life in the UK to be available on more than one main TV channel
  - In deliberative research, plurality of children's programming is deemed as being high importance for both parents and non-parents

- The gap between the level of importance of providing a wide range of high quality UK-made children's programmes (78%) and satisfaction with delivery (47%) continues, at 31%, to be higher than other programme genres (see figure 1).

**Figure 1 The public's rating of statements' importance versus PSBs' delivery**



3.7 At the same time, investment in first-run original children's programming continues to decline (figure 2). Overall PSB spend in 2007 was just over £92m, 7% lower than 2006 in real terms. While BBC spend was up from £63m to £70m (due to phasing of inventory), spend by the commercial PSBs was down by nearly 40%, from £27m to £12m. This highlights a long term decline in spend on first-run originations by the commercial PSBs from £60m in 1998 to just £12m in 2007, a fall of 80% over a ten year period.

**Figure 2 Investment in first-run, original children's programming by the PSBs**



Source: Ofcom/broadcasters

- 3.8 *PSB Review Phase 1: The Digital Opportunity* also assesses the prognosis for future delivery of children's programming.
- 3.9 New UK originated children's programming continues to be relatively commercially unattractive for broadcasters, as is national and regional programming. The relatively high cost of this type of children's content, especially drama and factual programming, relative to returns generated from a relatively small audience makes children's relatively less viable whether on public service channels or digital channels. In all the scenarios which were analysed for the PSB Review, the prognosis for new UK originated children's programming is similar.
- 3.10 Commercial digital channels will continue to have a role to play in delivering public service content for children; in 2007 we estimate that they accounted for around 12% of total investment in first run original programming, compared to 8% for the rest of PSB as a whole. The recent announcement that CITV is to start commissioning original programming is encouraging. However commercial digital channels look unlikely to increase their contribution significantly in the future.
- 3.11 The internet will become an increasingly important outlet for children's content. In our research, two thirds of adults with a broadband connection agree that the internet has an important role in helping children and teenagers understand life in the UK. This is even higher among 16-24 year olds.
- 3.12 However the evidence shows that there is relatively little public service content already available for children on the internet, and there does not appear to be a successful commercial business model which might encourage this in the future. This is due to the reduced scope for peer-generated content for children, greater competition for children's online attention from a very wide range of brands and some broader reticence in the UK about supporting children's public service content via advertising.

## Section 4

# Long term delivery models for children's public service content

## Satisfaction with children's public service content remains relatively low

- 4.1 In Section 6 of the *PSB Review Phase 1: The Digital Opportunity* we set out our vision for the future provision of public service content, based on audiences' priorities and the new opportunities emerging for delivery of public purposes on interactive platforms.
- 4.2 Our starting point for that vision includes provision of a range of UK originated, audiovisual content to be available across a range of platforms and from more than one provider in areas including high quality, innovative and original children's content, particularly drama and factual programming aimed at older children and young teenagers.
- 4.3 Any long term solution for children's programming needs to address two core issues emerging from our research. First, achieving reach and impact in a world where consumption patterns are rapidly fragmenting. Second, ensuring plurality of provision, which parents believe should play a central role in delivering public service content for children. Section 3 of that report summarises evidence that the purposes and characteristics of public service broadcasting are not being effectively delivered with regard to children, especially older children and teenagers.
- 4.4 To date, there is no evidence that the market will fill the gaps left by falling investment by the commercial PSBs. No commercial digital channel has established a business case for investment in a high quality UK-originated programming for older children or young teenagers and our modelling suggests that such a case is unlikely to emerge.
- 4.5 Our analysis suggests that intervention in the delivery of children's public service content in interactive media (in addition to linear television) could help meet the public purposes for children in new, more effective and efficient ways.
- 4.6 Reach and impact will be more important in an environment where older children's consumption of media is rapidly fragmenting. Parents also believe that it is important for plurality to continue to play a central role in delivering public service content for children.
- 4.7 In *PSB Review Phase 1: The Digital Opportunity* we estimated that the cost of added intervention in children's content to maintain levels of reach and impact and achieve plurality of provision, is around £30 million per annum.

## Long-term delivery models for children's public service content

- 4.8 Section 7 of *PSB Review Phase 1: The Digital Opportunity* we consider the implications of our analysis for the model for delivery of public service content and sets out four potential long term models for delivering public service content in the

future, to provide the basis for debate in phase 2 of the PSB review and beyond. These are:

- Model 1 - Evolution
- Model 2 - BBC Only
- Model 3 – BBC./C4 plus competitive funding
- Model 4 – Broad competitive funding.

4.9 The implications of each of these models for the main PSB institutions are discussed in *PSB Review Phase 1: The Digital Opportunity*. In this section we aim to apply these models to the future provision of public service content for children.

4.10 Each of the long-term models outlined in Section 7 presents an alternative framework for delivering public service content for children in the future.

### **Model 1 - Evolution**

4.11 In this scenario the BBC, Channel 4, ITV1/GMTV and potentially Five would all retain public service roles, along with S4C and GMS. The BBC would continue as the cornerstone of public service broadcasting, funded by a universal licence fee, while Channel 4 and ITV1 would have revised PSB remits, potentially funded by enhanced indirect funding. Competition in the allocation of resources would come only through periodic licence renewal.

4.12 The implications for children's programming would be:

- the BBC would continue to be the main provider of high quality children's content with investment and output set through service licences;
- Channel 4 could take on a dedicated children's programming role across a range of platforms, focusing on older children in line with its recent vision statement; and
- additional indirect funding could allow explicit quotas for children's content to be placed on ITV1 and Five, although this would have to take into account the very significant opportunity cost as well as the production cost of children's content. Quotas could focus on areas of specific need, such as content for older children and teenagers.

4.13 One strength of this approach is that it would enhance plurality in children's programming, although there would be no opportunities for new providers

4.14 There is also a risk in this approach in that the implicit subsidy to commercial PSBs could subsidise commercial activity. On top of this, the commercial PSBs are incentivised to minimise the cost of PSB. The indirect nature of any funding would also limit the transparency and efficiency of any intervention along these lines.

4.15 The need for flexibility would, in practice, limit how tightly remits could be defined. It is likely that a new mechanism for clear and robust accountability for Channel 4 and the commercial PSBs would be required.

## **Model 2 - BBC only**

- 4.16 In this model the BBC would be the only UK-wide institutional intervention in PSB, and the only publicly-owned UK-wide distributor of public service content. Plurality would be delivered by commercial, public and community organisations operating on various platforms.
- 4.17 The BBC would take on an enhanced role (potentially with increased funding) to deliver children's programming needs currently met by other institutions that the market will not provide in the future.
- 4.18 The implications for children's programming would be as follows:
- the BBC service licences could be reviewed, with the BBC increasing its investment in children's programming, especially that aimed at older children and teenagers (this is a matter for the BBC Trust);
  - the BBC could also extend the availability of its children's offering, potentially by extending the hours of CBBC to 9pm (this is also a matter for the BBC Trust);
  - the share and reach of commercial digital children's channels might grow, but this would be largely based on imported or re-versioned content;
  - there would be little competition to the BBC in the provision of children's programmes that reflect UK cultures, values and identities;
  - market provision of online services for older children and teenagers might grow, although business models in this area are uncertain; and
  - Government and other third parties would continue to provide some content, but in an uncoordinated way across a range of policy agendas (including health, education, children and families, and skills).
- 4.19 It might be possible to vary this model to try to preserve some of the benefits of plurality within BBC provision. For example, this could involve having separate commissioners for certain kinds of content on different channels, or it could mean establishing quotas for independent production within areas particularly at risk, such as children's drama. Again, these are matters for the BBC Trust.
- 4.20 This model could be sustainable and could complement existing market provision. However, plurality would be significantly limited and there would be no mechanism for allocating resources to other providers. There would also be a risk of the BBC extending its scope too far if it was left as the sole provider.

## **Model 3 - BBC/C4 plus competitive funding**

- 4.21 Under this model the BBC, Channel 4, S4C and GMS would retain their roles as publicly-owned public service institutions with remits to maximise reach and impact across platforms. Channel 4 would take on an enhanced role in older children's content provision to ensure plurality. The ITV1 and Five licences would become purely commercial.
- 4.22 The implications for children's programming would be as follows:

- the BBC would continue to be the main provider of high quality children's content, with investment and output set through service licences;
  - Channel 4 could take on an enhanced role in providing children's content, to provide plurality. This role could extend across the range of older children's content, across a range of platforms; and
  - other providers, which are already reaching the children's audience, could be funded through competition for funding to deliver UK children's content.
- 4.23 In this model, other broadcasters would also be able to compete for long term but transferable funding to provide public service content. However, competition for this funding would be limited to UK content serving targeted needs not met by the BBC and Channel 4, and resources would be allocated by competitive tender.
- 4.24 Any intervention of this type would need to ensure that the incentives given to commercial providers were aligned to public purposes. This would need tightly-defined contracts and ongoing effective oversight.

#### **Model 4 - Broad competitive funding**

- 4.25 In this approach, the BBC would be the only institutional provider of public service content for children. All other services would be provided through long term but transferable funding, and providers would tender periodically for both production and distribution contracts.
- 4.26 Plurality would be delivered where a clear case could be made based on benefits to audiences and impact on the market. Funding would be awarded by a new independent body. Providers of content could include commercial, public or community organisations.
- 4.27 In practice, this scenario might mean that:
- the BBC's role would be focused on delivering a, high quality, UK-originated service for children, with investment and output set out in its service licences;
  - funding for targeted services and programming would be awarded through competitive tenders;
  - a wide range of providers would be able to bid, perhaps including commercial digital channels which already reach this audience, websites, social networking providers, games producers and a range of government and voluntary sector organisations, including schools, universities and other social and educational institutions.
- 4.28 This model has the benefit of being potentially very flexible in its use of resources, and would be likely to complement existing market provision well, as long as robust market impact assessments were carried out.
- 4.29 However, the effectiveness of this approach could also be limited by the dispersal of resources to a wide range of providers, making some children's public service content difficult to find.
- 4.30 It would also be important to ensure that the allocation body was independent and processes for awarding and monitoring highly efficient.

## Assessment of how stakeholder approaches might fit with the four models

- 4.31 We have assessed each of the five stakeholder approaches set out in *The Future of Children's Television Programming* discussion document according to how they might fit in with the four models of future delivery in the long term.
- 4.32 For children's programming, Maintaining the Status Quo is likely to be similar to model 2 – BBC only. This model suggests there could be a significant strengthening of the BBC's role in provision of high quality content for children. In theory, this could be achieved in the short term through the mechanism of Service Licences and would be the responsibility of the BBC Trust.
- 4.33 Elements of the Broadcaster Interventions approach are similar in some ways to model 1 – evolution, model 3 – BBC/C4 plus limited competitive funding, or model 4 – broad competitive funding. For example, a new PSB quota system would clearly fit best as part of model 1. On the other hand, a system of contestable funding is similar in some respects to model 4. Phase 2 of the PSB Review will involve further work on the potential long term models.
- 4.34 Production Incentives do not directly fit within any of the institutional models outlined in PSB Review Phase 1: The Digital Opportunity, however, it might be a tool which could be applied within the framework of model 1, for instance, as a way of contributing to indirectly funding of commercial PSBs. PACT's specific proposal for a producer tax credit is discussed in more detail below as a short-term measure.
- 4.35 Extending the Remit of Existing Institutions covers a range of approaches which may fit within either model 1 or model 3, particularly any proposal to extend Channel 4's remit to cater for older children and teenagers. While ultimately requiring funding and possibly additional legislation, there is some scope for short term changes in the nature of Channel 4's remit which might be achieved through re-prioritisation of existing resources.
- 4.36 While the New Institutions option does not directly fit with models 3 or 4, a new institution for providing children's programming might be set in order to bid for long term contracts to provide areas of children's content that the market would not otherwise deliver, such as content aimed at older children.



## Section 4

# Possible short term responses

### Assessment of stakeholder approaches which might apply in the short term

- 5.1 As noted above, we have assessed each of the five stakeholder approaches set out in the Future of Children's Television Programming discussion document according to how they might fit in with the four models of future delivery.
- 5.2 There is evidence that some areas of provision of public service content for children are not being currently met. Programming for older children and teenagers has already been highlighted as the area most under threat. In the near term, it is increasingly likely that UK production for children's programming as a whole will become less viable for the commercial PSBs.
- 5.3 Stakeholder responses to our discussion paper were broadly consistent in their view that some form of short term intervention in children's programming is necessary to ensure continued delivery in the medium to long-term. Accordingly, this section sets out our assessment of the short-term options for implementing these approaches.

### Pact's proposal for a production tax credit

- 5.4 Our assessment suggests that of the approaches suggested by stakeholders, only tax incentives have any potential to be introduced in the short term. As part of its consultation response, PACT argued for a production tax credit, worth 30% of the production costs of qualifying programmes attached to a broadcast outlet. This scheme would last until 2012, at which point it was envisaged that more long term solutions for children's programming might have been implemented.
- 5.5 Stakeholder responses to the Future of Children's Programming showed that there is substantial support from the industry for this type of short term intervention. Our research report also shows that tax incentives have been adopted as regulatory tools in other countries to encourage the production of indigenous children's programmes, with France, Canada and Australia being particular cases in point.
- 5.6 A tax credit of this type, it is argued, could provide significant support to the independent production industry, and could lead to more investment and increased plurality of children's content. It also has the advantage in that it could be implemented relatively quickly.
- 5.7 However, there may also be potential drawbacks to this type of intervention:
  - It is very difficult to measure the impact of such schemes. The evidence is not conclusive as to how well tax incentives have worked in France, Australia or Canada, nor the extent to which they have encouraged the production of indigenous programming;
  - This sort of intervention has been known to be subject to abuse in similar industries. The section 48/42 scheme in the UK was launched in 1998 and was designed to incentivise low-budget UK films. However, it was subject to widespread abuse, with public money in some cases subsidising projects which would have been undertaken anyway. (This scheme has been recently replaced by a simplified tax credit, which aims to eliminate such abuses);

- There is some evidence that a producer tax credit would do little to address the need for an outlet for children's public service content, with commercial PSBs most concerned about the opportunity cost (foregone advertising revenue from more popular programmes), rather than the cost of programme production; and
- Questions of state aid would need to be considered.

5.8 While there may be a value in investigating this type of intervention, it is beyond the scope of our remit, and is therefore a matter for government to decide upon and take forward.

### **Enforcing Ofcom's existing powers under the Communications Act**

5.9 Under the Communications Act 2003, the commercial PSBs are no longer under an obligation to provide a set number of hours of children's programmes per week. It is up to them to decide how much to provide. When they plan to make a significant change to their output they must seek Ofcom's opinion and take account of it. However there is no obligation on the commercial PSBs to follow Ofcom's guidance - this was recently demonstrated by ITV's proposals to reduce the amount of children's output on the ITV1 channel.

5.10 Given these constraints, we believe that there are three possible approaches to the issues facing children's programming in the short term. These are:

- developing the BBC's role in delivering children's content;
- extending Channel 4's current provision to include older children and teenagers; and
- exploring the role S4C could play in delivering content to all UK children.

### **Developing the BBC's role in delivering children's content.**

5.11 The BBC increased its investment in original children's programming in 2007 to £70m (up from £63m in 2006).

5.12 The BBC Trust is undertaking a review of its provision for children and young people. Ofcom supports any moves by the BBC Trust to clarify the service licences for BBC children's output.

5.13 We are particularly interested in the BBC Trust's findings in three areas:

- First, establishing greater certainty in the BBC's overall levels of investment in children's programming during the period of the current licence fee settlement. The existing service licences offer no guarantees over funding for children's programming, although the Trust has stated that it sees the children's genre as a priority.
- Second, widening the availability of BBC output for older children at times when most children watch television, particularly after 7pm. Currently, 70% of children's viewing is in adult airtime and there is currently very little choice of public service content during the evening peak period.

- Third, new moves by the BBC to cater for older children and young teenagers particularly provision of UK-produced drama and factual programming for these groups.

### **Extending Channel 4's remit to include older children and teenagers**

- 5.14 In the recent announcement of its future vision, Channel 4 outlined its intention to pilot a new service for older children and teenagers (aged 10-15). In the longer term, this could be part of a new remit to cater for this age group. Channel 4 believes that it can play a greater role in reaching older children and recognises that this is an audience identified by Ofcom as being under-served by UK content.
- 5.15 The broadcaster has committed to a new pilot fund of £10m over two years to invest in new services for this age group. These would include traditional linear television as well as content on a range of online and interactive platforms. Commissioning would begin in 2008.
- 5.16 Over the longer term, Channel 4 has stated that it would need additional funding to cover this new provision if made part of a new statutory remit. It has said it will announce its own suggested approach to its future funding later in 2008.

### **Exploring the role S4C could play in delivering content to all UK children**

- 5.17 S4C is currently the second largest commissioner of original children's programming in the UK. In 2007 S4C invested nearly £10m in children's programming, an increase of over £1m on the previous year. S4C is planning gradually to increase its commitments to children's programming over the next few years, with a significant increase in spend planned for 2008 and plans for a Welsh language children's channel, using spectrum currently allocated for S4C2.
- 5.18 We believe that there is some scope for S4C to play a broader role in helping to facilitate the wider exploitation of Welsh-language originated content for a broader English-speaking children's audience.
- 5.19 S4C commissions content from a range of independent partners, many of which are based in Wales. It could create stronger incentives for independent producers to reversion content for a UK (and possibly international) audience. This might mean producing certain types of programming in both English and Welsh languages, and providing English language voiceovers for animation. This might enable S4C-funded children's programming to be made available to commercial PSB or digital channels.
- 5.20 We will continue to have a constructive dialogue with the BBC Trust, Channel 4 and S4C over the next few months. In the meantime, Ofcom will continue to work within the limits of its powers in the short term, ensuring that broadcasters understand the importance of delivery of the PSB purposes and characteristics for this important audience.

*PSB Review Phase 1: The Digital Opportunity* seeks further feedback on whether stakeholders agree with our assessment of the possible short term options available relating to children's programming; or whether there are any other options available.

## Annex 1

# List of non-confidential responses

Steve Barlow

BBC

BBC Trust

BECTU

Floella Benjamin OBE

Campaign for Press and Broadcasting Freedom

Channel 4

Children in Scotland

Church of Ireland Broadcasting Committee

Quentin Davies MP

Equity

Gaelic Media Service

Hit Entertainment

Annie Houseago, Tin Pan Annie Music

International Broadcasting Trust

Ken Johnson

Fiona Mactaggart MP

David Mason

Professor Máire Messenger Davies, Director, Centre for Media Research, University of Ulster

Ofcom Advisory Committee for Northern Ireland

Ofcom Advisory Committee for Scotland

Teresa Orange

Pact

Professor Monroe E. Price, Director, Stanhope Centre for Communications Policy Research and Center for Global Communication Studies

Ragdoll

The Future of Children's Television Programming

S4C

Save Kids' TV

Screen Digest

Jim Sheridan MP

Skillset

UK Film Council

Voice of the Listener and Viewer

## Annex 2

# Glossary

**First-run acquired programme** A programme broadcast for the first time that has previously been shown by another broadcaster.

**First-run original programme** A programme commissioned and broadcast for the first time by a UK broadcaster

**Genre** a category of television programming, for example current affairs or entertainment

**Independent production** Programmes made on behalf of the broadcaster by a producer that qualifies under the Independent Production Order.

**Interactive media** digital media such as text, graphics, video and sound, which users can interact with, typically delivered via the internet

**Non-PSB channels** refers to channels other than the public service broadcasting channels

**Originated programme** A programme commissioned and either broadcast for the first time or repeat broadcast by a UK broadcaster.

**Plurality** the delivery of PSB content by more than one provider.

**PSB channels** BBC One, BBC Two, ITV1, GMTV, Channel 4, Five, S4C, CBBC, CBeebies, BBCNews24, BBC Three, BBC Four, BBC Parliament.

**PSB main five channels** BBC One, BBC Two, ITV1, GMTV, Channel 4, Five, S4C.

**PSB purposes, the public purposes** Objectives of programming set out by Ofcom in its 2004 public service broadcasting review, which are used to measure how well public service programming is being delivered by the public service broadcasters.

Purpose 1: *Informing our understanding of the world* - To inform ourselves and others and to increase our understanding of the world through news, information and analysis of current events and ideas

Purpose 2: *Stimulating knowledge and learning* -To stimulate our interest in and knowledge of arts, science, history and other topics, through content that is accessible and can encourage informal learning

Purpose 3: *Reflecting UK cultural identity* - To reflect and strengthen our cultural identity through original programming at UK, national and regional level, on occasion bringing audiences together for shared experiences

Purpose 4: *Representing diversity and alternative viewpoints* - To make us aware of different cultures and alternative viewpoints, through programmes that reflect the lives of other people and other communities, both within the UK and elsewhere

**Reach and Impact** ensuring that public service content reaches the maximum possible audience, or reaches a smaller audience but in a way that has maximum personal and social value to that audience